

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-against-

BURRELL ET AL.,

Defendants.

15-cr-95-05 (JSR)

ORDER

JED S. RAKOFF, U.S.D.J.:

On October 26, 2022, Stephen N. Preziosi Esq. filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2255 on behalf of defendant Donque Tyrell. See ECF No. 3423. On April, 14, 2023, Tyrell's former counsel, Harlan J. Protass Esq., moved to withdraw as counsel to Tyrell, explaining that Tyrell had retained Preziosi to file and litigate his § 2255 motion. See ECF 3470. Most recently, on August 21, 2024, Tyrell sent the Court a letter addendum to his § 2255 motion, which has now been docketed. See ECF No. 3544.

Because Preziosi filed the § 2255 motion on Tyrell's behalf and because nothing in the record suggests that Tyrell wishes Protass to continue as his counsel in this matter, Protass's motion to withdraw is granted. The Government is ordered to respond to Tyrell's § 2255 motion by October 7, 2024. Preziosi, on behalf of Tyrell, may file any reply by October 21, 2024. Because Tyrell is represented by counsel in this matter, the Court will disregard Tyrell's pro se letter.

The Clerk of Court is respectfully requested to close ECF No. 3470.

SO ORDERED.

New York, NY

9/4, 2024

  
JED S. RAKOFF, U.S.D.J.